

REMARKS

Claims 10, 12-15 and 17-23 are pending. Applicant has incorporated the limitations of previous claims 11 and 16 into claim 10. Thus it is urged that the present amendment to claim 10 does not raise new issues and should be entered at this stage of the prosecution.

Applicant has canceled claims 1-9 thereby rendering moot the rejections under 35 U.S.C. 102(b).

Claims 10-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Laszlo (US 3,934,880) in view of King (US 1,215,033), Torgow (US 3,863,925) and Kaiser (US 4,783,352). Applicant respectfully traverses this rejection.

Applicant requests reconsideration of the remarks pertaining to the present invention and the cited references presented in the amendment of June 7, 2007.

In particular, applicant emphasizes that the spherical coupling according to the invention has a double task:

- 1) it allows the setting of the lane plate in the most favorable position, after launching the whirling top, but before the whirling top reaches the starting line, in order to ensure that the whirling top hits as many pins as possible,
- 2) it fixes the lane plate in the set position until the whirling top travels across the playing field and reaches the pins.

This double task is not performed by any known spherical coupling. In the present invention, only a very short time is available for setting the lane plate, while the whirling top moves from the starting cycle to the starting line. During this very short time the lane plate has to be set very precisely, as the degree of tilt of the lane plate will determine the direction in which and the rate at which the whirling top will travel. Precise setting can be implemented only if the lane plate is easy to move on the spherical coupling. At the same time, the spherical coupling has to fix the lane plate in the given position while the whirling top travels across the board.

For performing this double task, the spherical coupling according to the invention is a loose joint having a relatively large surface area, and it does not comprise a clamping element. The holding of the position of the lane plate is ensured by forces acting centrally on

the central axis of the game board, primarily the mass of the lane plate and friction. The friction surfaces are dimensioned to be able to hold the lane plate in a fixed manner.

While the Examiner acknowledges that Laszlo fails to disclose a globe head and globe shell arrangement, and that King fails to disclose the claimed traits of the globe head and shell, the Examiner argues that it would have been obvious to modify the devices of those references in view of Kaiser and Torgow to provide the claimed globe and shell arrangement, "the motivation being simply [to] substitute another style of tilting support..." However, as explained above, the claimed configuration advantageously allows the apparatus to perform the aforementioned double task of allowing quick and easy setting of the lane plate, and then fixing that setting. Such advantageous results would not have been expected from the teaching of the cited art and evidence the patentability of the present invention (see e.g. MPEP 2141 et seq.). None of the mentioned patents give sufficient instructions for achieving the desired double task. Kaiser's ball-and-socket joint has to establish a quite stable coupling in order to ensure that the display is kept in place while the vehicle is moving. Therefore Kaiser's ball-and-socket joint is a tight joint, and has a clamping element as well. The spherical housing is designed to be able to keep the display in the set position in which it is easy to read. Due to the tight joint the setting of the display requires a relatively large force. (The solution is similar to the ball-and-socket joints of wing-mirrors, where also a relatively large force is needed for adjusting a wing mirror.) Precise setting against such forces in a few seconds is impossible.

Furthermore, the claimed design and construction (i.e. the size, material, and mass) of the whirling top also advantageously affect its stable movement on the tilted, sloping playing surface.

Therefore, the presently claimed invention would not have been obvious in view of the cited references.